

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS,  
FORT WORTH DIVISION**

STATE OF TEXAS,  Plaintiff,  v.  JOSEPH R. BIDEN, JR., et al.,  Defendants.	Civil Action No. 4:21-cv-00579-P
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**[PROPOSED] ORDER**

The Plaintiff's motion for a preliminary injunction is GRANTED.

The Court concludes that Texas is likely to succeed on the merits of its claims. Specifically, the Court concludes that Texas has experienced and will continue to experience irreparable harm in the absence of a preliminary injunction. The Defendants' actions are arbitrary and capricious insofar as they failed to use a reasoned decision-making process when they departed from their own procedures under Title 42, and that they failed to consider Texas's reliance interest in the continuation of the program. The Court finds that the balance of equities favors Texas, and the public interest supports a preliminary injunction.

It is therefore ORDERED that:

1. The Defendants cease all activities in furtherance of the February Order and resume activities in furtherance of the October Order, to include applying Title 42 to all covered aliens arriving at the United States Border, without categorically excepting classes of people, whether families, unaccompanied minors, or others.

2. The Defendants enforce the detention scheme required by 8 U.S.C. § 1222(a).

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MARK T. PITTMAN  
UNITED STATES DISTRICT JUDGE